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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/580,498	05/30/2000	Shinya Kamimura	925-143	8341

23117 7590 06/19/2006

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EXAMINER

AGGARWAL, YOGESH K

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/580,498	Applicant(s) KAMIMURA ET AL.	
	Examiner Yogesh K. Aggarwal	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) 4 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/14/2006 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-3 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tokumitsu (US Patent # 6,008,511) in view of Nakamura (US Patent # 6,476,851).

[Claim 1]

Tokumitsu discloses a solid-state image sensor used inherently in devices like cameras or other imaging devices (figure 3), which comprises a plurality of light-receiving parts (pixels 3a-0, 3b-0 etc.) arranged at a constant interval on a substrate surface and a plurality of light focusing parts (microlenses 1a-0, 1b-0, 1a-1 etc.) disposed corresponding to each of the plurality of the light-receiving parts on the substrate surface (11) so that the incident light is focused on the light

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receiving parts (col. 3 lines 54-64). Tokumitsu further teaches that the distances $da1$ - $da3$ (offset amounts) corresponding to the center of the microlenses 1a-1 through 1a-3 and pixels in the peripheral ends are determined to increase at a predetermined rate as the pixels become distant from the center towards the periphery (col. 3 line 65-col. 4 line 47, figure 3) and therefore reads on wherein the position of the center of each of the light focusing parts is shifted gradually larger toward the center of the camera region based on the position of each of the light-receiving parts corresponding to the light focusing parts.

Tokumitsu fails to disclose that the diameter of the microlenses becomes gradually larger, as the location of the light focusing part is getting closer to the peripheral region from the middle camera region.

However Nakamura teaches that as the microlens is located far off the optical axis i.e. from the optical axis of the objective lens 61 to the periphery of the region 63A, its diameter increases progressively (col. 13 lines 27-39).

Therefore taking the combined teachings of Tokumitsu and Nakamura, it would have been obvious to one skilled in the art to have been motivated to have that the diameter of the microlenses becomes gradually larger, as the location of the light focusing part is getting closer to the peripheral region from the middle region in order to improve the light condensing performance of the microlens progressively in going from the optical axis of the objective lens system 61 to the periphery of the region 63A, thereby the light beam reaching the periphery of the region 63A can be rendered incident on each photosensor without vignetting, and the luminance shading can be prevented from occurring as taught in Nakamura (col. 11 lines 27-39).

[Claims 2 and 3]

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Tokumitsu discloses a two-dimensional array (figure 2). Therefore the direction from the center of the camera region to the peripheral camera region corresponds to the lateral and longitudinal direction of the solid-state camera device.

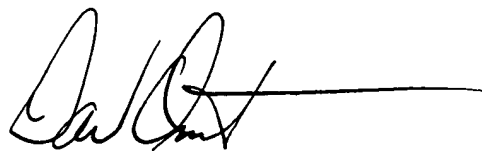
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh K. Aggarwal whose telephone number is (571) 272-7360. The examiner can normally be reached on M-F 9:00AM-5:30PM.

5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571)-272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

YKA
June 12, 2006



DAVID OMETZ
SUPERVISORY PATENT EXAMINER